

Village of Harveysburg

Village Council

November 13, 2023 – 7:00 PM

Present:

- Mayor Richard Verga
- Jim Nelson – Councilman
- Pat Bennett – Councilman
- Kim Herberth – Councilwoman
- Randy Carruthers – Councilman
- Charles Juniel – Councilman
- Mark Tipton – President of Council

Absent:

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Village Staff Present:

- Chase Kirby – Village Solicitor
- Mary Wilkie – Fiscal Officer
- Richard Pottenger – Police Chief
- Heather Matuszak – Clerk of Council

Visitors / Guests:

- Kevin Brewer – Harveysburg Resident
- Charles Camp – Harveysburg Resident
- Jonathan Funk – Harveysburg Mayor Elect
- Steve Rivera – Harveysburg Building Official
- Tim Hill – Planning Commission President

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This is a summary of the meeting of the Harveysburg Village Council held November 13, 2023, at 7:00 PM. Upon request, a recording of the meeting is available for review.
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Mayor Verga calls the meeting to order at 7:00 pm.
Roll Call: Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel

Disposition of Previous Minutes:

Motion made by Mr. Tipton to approve the October 23rd minutes as written. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye/ Nay – None. Motion passed.

Mayors Report:

Mayor Verga states that the dissolution of the Village only failed by 20 votes and that both levies failed. He states the Village will need to find a way to bring in money to sustain itself.

Mayor Verga states he would like to combine the Council meeting and the Finance Committee on November 27th so all parties can hear possible options and make the decisions at one time. He asks Mrs. Wilkie to prepare a full presentation of the Village finances. It is decided to formally cancel the 6:30pm Finance Committee meeting and combine it within the regularly scheduled Council meeting at 7:00pm.

Mayor Verga states the third reading of the Admissions Tax is on the agenda tonight. He would like to hold on passing that until the end of the year.

President of Council Report:

NONE

Fiscal Officer:

Mrs. Wilkie asks the Council if they would like to renew the snow plowing contract for the subdivisions at the rate of \$300/hour and to be billed in quarter hour increments.

Motion made by Mr. Tipton to enter into a snow plowing contract with the Followers Way, Ceasar Creak Estates, and Shephard's Ridge subdivisions at the rate of \$300/hour and billed in quarter hour increments. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Motion made by Mr. Nelson to pay bills and accept bank reconciliations. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Village Attorney Report:

Mr. Kirby states that Mr. Rivera, Harveysburg Building Official, issued a notice to the old school and we are in the process of preparing a search warrant that will allow access to the building for an inspection of violations of our zoning code. The best route will be to go through Warren County Common Pleas Court and he plans on starting that process soon.

Mr. Bennett asks what the purpose of the search warrant is and how it will benefit us. Mr. Rivera explains that we must show the owners were given every opportunity to fix the building according to our zoning codes. He states when he inspects the building, he will compile a list of violations that will be given to the judge. We will then file an injunction to have the building demolished.

Mr. Bennett asks what the likelihood will be of the owners paying for demolition. Mr. Tipton states we could go through the county for the grants that cover demolition.

Guests:

Kevin Brewer gives a quick update that he closed on the lot that abuts his property today and is very happy about that. He states he will likely have to demolish the small shed on the property along with clearing the rest of the lot. He also adds that the debris from replacing the roof on his building will be cleaned up as soon as he can get his brother's help.

Old Business:

Mr. Tipton states he would like to proceed with the third reading of Ordinance 2023-05: Admissions Tax.

Mayor Verga asks why it cannot be delayed until the new year. Mr. Carruthers asks him to elaborate on why he wants it to be delayed. Mayor Verga states he is concerned about letting the new mayor have a say and that this ordinance comes at a time when it is currently only applicable to one business in the Village.

Mr. Bennett states his only concern is the annual review of tax rates. He believes they should be extended to every 2-3 years. Mr. Tipton states that an ordinance can be amended once it has been adopted.

Mr. Kirby completes the third reading of Ordinance 2023-05: Admissions Tax. This ordinance will apply a 3% admissions tax for places of amusement or entertainment within the Village limits.

Motion made by Mr. Carruthers to adopt Ordinance 2023-05: Admissions Tax. Second by Mr. Tipton. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Kirby states this will become effective in 30 days, and he will prepare a copy to be signed at the next meeting.

Mr. Tipton reports that the storm sewer project is now complete. We have received many compliments on the new roads, and we were lucky to have it finished before the weather turned bad.

Mr. Tipton states we still have a streetlight outage on South Street and are still scheduled to receive a new light at North/Lorraine. He contacted the company today and they were not able to provide an estimated installation timeframe.

Mr. Bennett states he was speaking with Mr. Hatfield, and it was mentioned how dark his part of the street was. Mr. Bennett suggests we think about placing a streetlight there in the future.

Mr. Tipton reports leaf pickup is going well and the last day for pickup has been set for November 22nd.

Guest Charles Camp asks if the barricades will be replaced on the part of the street where the storm sewer goes underneath. Mr. Tipton states the previous barricades will not go back up, but they will be placing temporary flags until a guardrail can be placed next spring.

New Business:

Mr. Tipton asks that the Council allow the Village to approach ChoiceOne for our 2024 CDBG project. This would be the same submission that we put in last year for the repaving of South/Frost/Grant streets. The project was quoted at approximately \$130k with a Village match of \$22k. He adds that since it is late in the year this would likely be awarded for the year 2025. There is the potential to expand the project and impact more homes. With a larger project we could apply for an OPWC grant and we could also create a levy that specifies that the funds will be used for a certain project.

Motion made by Mr. Tipton to submit the project to ChoiceOne for the purpose of CDBG funding.
Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None.
Motion passed.

Mr. Kirby offers his congratulations to Mr. Funk, Mr. Bennett, and Mr. Verga on their elections wins. He also emphasizes that it is a great loss of Mr. Tipton from the Council. He states from his perspective, Mr. Tipton has made his job possible and certainly easier. He states Mr. Tipton has been very reliable in getting him necessary documents and information. Now that Mr. Tipton will be gone, he will be relying heavily on the other members of the Council for assistance.

Mr. Carruthers also adds that we will miss Mark Tipton as a part of the Council. He states that Mr. Tipton has done more for the Village than all the people in the room combined, and he will be extremely disappointed when he is gone.

Police:

Chief Pottenger begins his report:

There are no current issues with the vehicles. It was mentioned in the Police Committee meeting about switching the tires around on the wrecked car before it is transported, but he needs to speak with the solicitor first.

There is one applicant in the hiring process.

We will be taking the vehicle to the county for the equipment to be stripped. It will need to be towed, which will cost approximately \$150.

Motion made by Mr. Tipton to approve \$150 for towing expenses for the wrecked cruiser. Second by Mr. Bennett. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Tipton asks if we can get Joe Nelson LEADS certified since he is taking over court clerk duties.

Community Relations:

Ms. Herberth started looking at arrangements for the Christmas party. She has had 4 new volunteers for the party. She states that we will need a bit more money this year because we need to purchase 40 new toys. She would like to ask for \$700 to cover all expenses even though she is confident she can purchase everything needed below that amount.

Motion made by Mr. Bennett to approve up to \$700 for Christmas party expenses. Second by Mr. Juniel. Vote – Nelson, Bennett, Herberth, Carruthers, Tipton, Juniel – Aye / Nay – None. Motion passed.

Mr. Tipton states that we have a certificate of capacity for 300 in the gym that Mr. Rivera has provided.

Committees:

Community Relations – None

Finance - 11/27; 6:30pm meeting cancelled; meeting will be combined with the regularly scheduled Council meeting at 7pm

Grants - None

Planning and Zoning – 11/28 at 6:30pm

Records - None

Trees - None

Motion made by Mr. Nelson to adjourn at 7:59pm. Second by Mr. Juniel. Passed unanimously.

Attest:

Heather Matuszak, Clerk of Council

Mayor Richard Verga

Mark Tipton, President of Council

Kim Herberth

Randy Carruthers

Pat Bennett

Charles Juniel

Jim Nelson